

## IN THE

## UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

DAVID ALUMOT, GAD NEUMANN, RIVKA

SHERMAN, EHUD TIROSH

SERIAL NO.:

08/984,558

FILING DATE:

December 3, 1997

TITLE:

TWO-PHASE OPTICAL INSPECTION METHOD

AND APPARATUS FOR DEFECT DETECTION

**EXAMINER:** 

Unknown

RECEIVED

**GROUP ART UNIT:** 

2721

FEB 0 9 1999

ATTY. DKT. NO.:

3154

Group 2700

ASSISTANT COMMISSIONER FOR PATENTS BOX MISSING PARTS WASHINGTON, DC 20231

## **PETITION**

03/26/1998 AIBRAHIM 00000059 08984558

01 FC:122

Sir:

130.00 DP

Applicants hereby petition to correct Patent Office errors in the documentation of the patent application identified above.

Responsive to the Notice of Incomplete Application dated 08/06/98 (copy enclosed) received in this application, the designation [1.a] that the Specification (description and claims) is missing is clearly in error in view of both the return

postcard receipt (true copy marked Exhibit A, enclosed) and the first official Filing Receipt (Form PTO-103x, true copy marked Exhibit B, enclosed).

From the returned postcard, marked Exhibit A, there is indicated receipt by the U.S. PTO of 59 pages of Specification, Claims, and Abstract (and 41 sheets of drawings) on 12/03/97.

From the official filing receipt, marked Exhibit B, there is indicated a total count of claims = 26, and independent claims = 11 (and drawings = 40), evidently derived from the Specification and Claims that were received on 12/03/97. (A Request For Corrected Filing Receipt was subsequently filed to correct the count of drawings).

Therefore, the Notice of Incomplete Application (Form PTO-1123) is in error because the Specification (description and claims) was <u>not</u> missing as originally filed on 12/03/97. If missing <u>now</u>, attributable to Patent Office handling subsequent to the initial filing, that should be indicated differently than by imposing the burden on this Petition upon Applicants and jeopardizing the pending status of the subject application.

By this Petition, Applicants respectfully request:

- a) designation that all parts of the subject application, including the Specification (description and claims), were properly filed on 12/03/97 and therefore are not missing; and
- b) correction of the Patent Office error on the corrected filing receipt to indicate 41 drawings that were received as originally filed; and
- c) refund of the enclosed Petition fee.

A Petition fee of \$130.00 in accordance with 37 CFR §1.17(I) is enclosed, the refund of which, due to Patent Office errors, is requested to be credited to Deposit Account No. 19-2555. A duplicate copy of this credit authorization is enclosed.

Respectfully submitted,

DAVID ALUMOT, GAD NEUMANN, RIVKA SHERMAN, EHUD TIROSH

| Date: | 8(21)8 | By: Q.C. Smith                     |  |  |  |  |
|-------|--------|------------------------------------|--|--|--|--|
| ,     |        | Albert C. Smith, Regis. No. 20,355 |  |  |  |  |
|       | ·      | Fenwick & West LLP                 |  |  |  |  |
|       |        | Two Palo Alto Square, Suite 700    |  |  |  |  |
|       |        | Palo Alto, CA 94306                |  |  |  |  |
|       |        | (415) 494-0600                     |  |  |  |  |

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| Please acknowledge receipt of the docknown stellar below by imprinting the Patent Office - Date Samp" hereon and in please return this card to the addresse.  Case No.: 3154 Att/Sec_CTOBIN/jsa Mailing Date: 12/03/97  Applicant(s): David Alumot, Gad Neumann, Rivka Sherman, Ethud  Title: Two-Phase Optical Inspection Method and Apparateus for Defect Detection  59 pages of Specification, Claims and Abstract 41 sheets of drawings New Design Appl. Transmittal New Utility Appl. Transmittal Application Under Rule 1.60  Fee Transmittal (in duplicate) FWC Application Under Rule 1.62  Declaration Provisional Application Under Rule 1.62  Express Mail No.: EM033487988US  Check in the Amount of \$ 1,578.00  3 (984558)  Other: Application Under 37 CFR 1.53(b)  | TO A   |   |                                       | -          |
| Please acknowledge receipt of the docknown stellar below by imprinting the Patent Office - Date Samp" hereon and in please return this card to the addresse.  Case No.: 3154 Att/Sec_CTOBIN/jsa Mailing Date: 12/03/97  Applicant(s): David Alumot, Gad Neumann, Rivka Sherman, Ethud  Title: Two-Phase Optical Inspection Method and Apparateus for Defect Detection  59 pages of Specification, Claims and Abstract 41 sheets of drawings New Design Appl. Transmittal New Utility Appl. Transmittal Application Under Rule 1.60  Fee Transmittal (in duplicate) FWC Application Under Rule 1.62  Declaration Provisional Application Under Rule 1.62  Express Mail No.: EM033487988US  Check in the Amount of \$ 1,578.00  3 (984558)  Other: Application Under 37 CFR 1.53(b)  | 21, 6  |   |                                       |            |
| Plense acknowledge receipt of the discinance of described below by imprinting the Pattent Office "Date Stamp" hereon and please return this card to the addressee.  Case No.: 3154 Att/SecCTOBIN/jsa Mailing Date: 12/03/97 Applicant(s): David Alumot, Gad Neumann, Rivka Sherman, Ehud Title: Two-Phase Optical Inspection Method and AppaFatts for Defect Detection    59 pages of Specification, Claims and Abstract     41 sheets of drawings   New Design Appl. Transmittal     New Utility Appl. Transmittal   Application Under Rule 1.60     Fee Transmittal (in duplicate)   FWC Application Under Rule 1.62     Declaration   Provisional Application     Assignment & PTO-1595   Small Entity Statement     Express Mail No.: EM033487988US   See 1.5 PTO     Check in the Amount of \$ 1,578.00   08/984558     Other: Application Under 37 CFR 1.53(b)   | (S)  |   | _                                     | RECEIVED   |
| Application Under Rule 1.62  | EMARK OFFICE   | Please cal nowledge receipt of the        |                                       |            |
| Case No.: 3154 Att/Sec_CTOBIN/jsa Mailing Date: 12/03/97  Applicant(s): David Alumot, Gad Neumann, Rivka Sherman, Khud  Title: Two-Phase Optical Inspection Method and AppaFatesh for Defect Detect.ton    59  |  | documents déscribed below by imprinting   |                                       | 1          |
| Applicant(s): David Alumot, Gad Neumann, Rivka Sherman, Ehud Title: Two-Phase Optical Inspection Method and AppaFatqsh for Defect Detection    So pages of Specification, Claims and Abstract   All sheets of drawings   New Design Appl. Transmittal   New Utility Appl. Transmittal   Application Under Rule 1.60   Fee Transmittal (in duplicate)   FWC Application Under Rule 1.62   Declaration   Provisional Application     Assignment & PTO-1595   Small Entity Statement   Small Entity Statement     Express Mail No.: EM033487988US   35546 U. S. PTO     Other: Application Under 37 CFR 1.53(b)   12/93/97  |  | please return this card to the addressee. | _                                     | Group 2700 |
| Title: Two-Phase Optical Inspection Method and Apparatus for Defect Detection    59 pages of Specification, Claims and Abstract     41 sheets of drawings   New Design Appl. Transmittal     New Utility Appl. Transmittal   Application Under Rule 1.60     Fee Transmittal (in duplicate)   FWC Application Under Rule 1.62     Declaration   Provisional Application     Assignment & PTO-1595   Small Entity Statement     Express Mail No.: EM033487988US   Jeste U.S. PTO     Check in the Amount of \$ 1,578.00   08/984558     Other: Application Under 37 CFR 1.53(b)   12/93/97  |  | Case No.: 3154 Att/Sec.CTO                | BIN/jsa Mailing Date: 12/03/9/        | _          |
| Solution    |  | Applicant(s): David Alumot, Gad           | pection Method and Apparates          | īБ         |
| New Design Appl. Transmittal   Application Under Rule 1.60   Every Transmittal   Application Under Rule 1.62   Declaration   Provisional Application   Assignment & PTO-1595   Small Entity Statement   Express Mail No.: EM033487988US   S-546 U S PTO   Every Mail No.: EM033487988US   Every Mail No.: Ev   |  | for Defect Detection                      |                                       |            |
| New Design Appl. Transmittal   Application Under Rule 1.60   Every Transmittal   Application Under Rule 1.62   Declaration   Provisional Application   Provisional Application   Assignment & PTO-1595   Small Entity Statement   Express Mail No.: EM033487988US   36546 U.S. PTO   Express Mail No.: Application Under 37 CFR 1.53(b)   Every Express Mail No.: Application Under 37 CFR 1.53(b)   Every Express Mail No.: Application Under 37 CFR 1.53(b)   Every Express Mail No.: Every Express Mail No.: Every Express Mail No.: Every Express Mail No.: Every    | * The state of the | ∇   | ms and Abstract                       |            |
| ☐ Fee Transmittal (in duplicate) ☐ FWC Application Under Rule 1.62 ☐ Declaration ☐ Provisional Application ☐ Assignment & PTO-1595 ☐ Small Entity Statement ☐ Express Mail No.: EM033487988US ☐ 36546 U.S.—PTO ☐ Check in the Amount of \$ 1,578.00 ☐ 8/984558 ☐ Other: Application Under 37 CFR 1.53(b) ☐ 12/03/37  | AND THE RESERVE OF THE PARTY OF |   | New Design Appl. Transmittal          |            |
| □ Declaration □ Provisional Application □ Assignment & PTO-1595 □ Small Entity Statement □ Express Mail No.: EM033487988US □ 3e546 U.S. PTO □ Check in the Amount of \$ 1,578.00 □ 08/984558 □ Other: Application Under 37 CFR 1.53(b) □ 122/03/97   |  | _   | • •                                   |            |
| Assignment & PTO-1595 Small Entity Statement  Express Mail No.: EM033487988US  Check in the Amount of \$ 1,578.00  Other: Application Under 37 CFR 1.53(b)  12/03/97   |  |   |                                       | 2          |
| □ Express Mail No.: EM033487988US     □ Check in the Amount of \$ 1,578.00     □ Other: Application Under 37 CFR 1.53(b)     □ 12/03/97     □ 12/03/         | myadaka, apagadaka dalaman sama aka mada mada mada aka dalaman mada aki salah daman melalah dalaman melalah dalam  |   |                                       |            |
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| 12/03/97   | AND AND ADDRESS OF THE PARTY OF | Check in the Amount of \$ 1,50            | 37 CFR 1.53(b)                        |            |
|  |  | A Other: Application onder                |                                       |            |
|  |  |   | 12/03/37                              | _          |
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| EXHIBIT A  |  |   |                                       |            |
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PTO-103X (Rev. 8-95)

FILING RECEIPT



Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

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| APPLICATION NUMBER  | FILING DATE    | GRP ART UNIT   | FIL FEE REC'D           | ATTORNEY D | OCKET NO. | DRWGS      | TOT CL           | IND CL  |
| 08/984,558  | 12/03/97       | 2721   | \$1,578.00              | 3154       |           | 40         | 26               | 11      |
| CHRISTOPHER I<br>FENWICK & WES<br>TWO PALO ALTO<br>PALO ALTO CA | ST<br>O SQUARE |  | RECEIVED<br>APR 20 1998 |            |           | GRUUP 2100 | B DEC 17 AMIL: 3 | DECENED |

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

DETECTION

DAVID ALUMOT, REHOVOT, ISRAEL; GAD NEUMANN, REHOVOT, ISRAEL; RIVKA SHERMAN, RAMAT HASHARON, ISRAEL; EHUD TIROSH, JERUSALEM, ISRAEL.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CON OF 07/790,871 11/12/91

PAT 5,699,447

FOREIGN APPLICATIONS-

ISRAEL

96362 99823

11/16/90 10/23/91

**ISRAEL** 

TITLE TWO-PHASE OPTICAL INSPECTION METHOD AND APPARATUS FOR DEFECT

PRELIMINARY CLASS: 382